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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:

William J. Borlak, Sr.,

)

Bankruptcy No. 17-22701-JAD

)

Chapter 13

)

Debtors.

)

)

Enterprise Bank,

)

)

Movant,

)

**Hearing Date and Time:**

**September 19, 2017 at 10:00 a.m.**

)

v.

)

)

William J. Borlak, Sr., Debtor,

)

Ronda J. Winnecour, Chapter 13

)

Trustee,

)

)

Respondent(s).

)

RESPONSE TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW comes Respondent William J. Borlak, Sr. by and through his attorney Brian C. Thompson, Esquire, Thompson Law Group, P.C., and hereby responds to the Motion for Relief from the Automatic Stay as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted.
9. Denied in part. Respondent can neither confirm nor deny the opinion of Movant.
10. Admitted.

11. Denied. It is denied that the Debtor has no meaningful equity in the property at issue.

12. Admitted. The Debtor has had major health issues that have caused prior cases to end prematurely.

13. Admitted.

14. Denied. The Chapter 13 bankruptcy filed at case number 17-22701-JAD was filed in good faith. Also, the Debtor has had major health issues that have forced him to seek bankruptcy protection, unfortunately those issues also made it difficult for him to complete those prior bankruptcy filings.

15. Denied. The purpose of the Chapter 13 bankruptcy filing is to reorganize Debtor's debt and utilize the automatic stay, which is a long-standing principal protecting the rights of individuals who need relief under the Federal Bankruptcy Code.

16. Denied. Debtor's financial status is contingent upon the sale of a number of properties that will allow him to make the adequate protection payments per his Chapter 13 Plan of reorganization. This primary goal separates this bankruptcy filing from the instant case.

17. Denied. Debtor believes that retention of the Mortgaged Premises will assist in his goals to an effective reorganization.

WHEREFORE, Respondents, respectfully request that this court deny Movant's Motion for Relief from the Automatic Stay.

Executed on: July 31, 2017

s/Brian C. Thompson  
Brian C. Thompson, Esquire  
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